

RANDALL S. LUSKEY (SBN: 240915)
rluskey@paulweiss.com
**PAUL, WEISS, RIFKIND, WHARTON
& GARRISON LLP**
535 Mission Street, 24th Floor
San Francisco, CA 94105
Telephone: (628) 432-5100
Facsimile: (628) 232-3101

ROBERT ATKINS (*Pro Hac Vice* admitted)
ratkins@paulweiss.com
JACQUELINE P. RUBIN (*Pro Hac Vice* admitted)
jrubin@paulweiss.com
YAHONNES CLEARY (*Pro Hac Vice* admitted)
ycleary@paulweiss.com
CAITLIN E. GRUSAUSKAS (*Pro Hac Vice* admitted)
cgrusauskas@paulweiss.com
ANDREA M. KELLER (*Pro Hac Vice* admitted)
akeller@paulweiss.com

**PAUL, WEISS, RIFKIND, WHARTON
& GARRISON LLP**
1285 Avenue of the Americas
New York, NY 10019
Telephone: (212) 373-3000
Facsimile: (212) 757-3990

Attorneys for Defendants
UBER TECHNOLOGIES, INC.,
RASIER, LLC, and RASIER-CA, LLC

[Additional Counsel Listed on Following Page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 3:23-md-03084-CRB

**STIPULATION AND [PROPOSED] ORDER
REGARDING THIRD-PARTY COMPLAINTS
AND RULE 12 MOTIONS**

This Document Relates to:

ALL ACTIONS

Judge: Hon. Charles R. Breyer
Courtroom: 6 – 17th Floor

1 KYLE N. SMITH (*Pro Hac Vice* admitted)
ksmith@paulweiss.com
2 JESSICA E. PHILLIPS (*Pro Hac Vice* admitted)
jphillips@paulweiss.com
3 **PAUL, WEISS, RIFKIND, WHARTON
& GARRISON LLP**
4 2001 K Street, NW
Washington DC, 20006
5 Telephone: (202) 223-7300
Facsimile: (202) 223-7420

6 *Attorneys for Defendants*
7 UBER TECHNOLOGIES, INC.,
RASIER, LLC, and RASIER-CA, LLC
8

9 MICHAEL B. SHORTNACY (SBN: 277035)
mshortnacy@shb.com
10 **SHOOK, HARDY & BACON, L.L.P.**
2049 Century Park East, Suite 3000
11 Los Angeles, CA 90067
Telephone: (424) 285-8330
12 Facsimile: (424) 204-9093

13 PATRICK OOT (*Pro Hac Vice* admitted)
oot@shb.com
14 **SHOOK, HARDY & BACON, L.L.P.**
1800 K St. NW, Suite 1000
15 Washington, D.C. 20006
Telephone: (202) 783-8400
16 Facsimile: (202) 783-4211

17 JEREMIAH S. WIKLER (*Pro Hac Vice* admitted)
jwikler@shb.com
18 **SHOOK, HARDY & BACON, L.L.P.**
2555 Grand Blvd.
19 Kansas City, MO 64108
Telephone: (816) 474-6550
20 Facsimile: (816) 421-5547

21 *Attorneys for Defendants*
22 UBER TECHNOLOGIES, INC.,
RASIER, LLC, and RASIER-CA, LLC
23
24
25
26
27
28

SARAH R. LONDON (SBN 267083)
**LIEFF CABRASER HEIMANN &
BERNSTEIN**
275 Battery Street, Fl. 29
San Francisco, CA 94111
Telephone: (415) 956-1000
Email: slondon@lchb.com

RACHEL B. ABRAMS (SBN 209316)
**PEIFFER WOLF CARR KANE
CONWAY & WISE, LLP**
555 Montgomery Street, Suite 820
San Francisco, CA 94111
Telephone: (415) 426-5641
Email: rabrams@peifferwolf.com

ROOPAL P. LUHANA (*Pro Hac Vice*)
CHAFFIN LUHANA LLP
600 Third Avenue, Fl. 12
New York, NY 10016
Telephone: (888) 480-1123
Email: luhana@chaffinluhana.com

Co-Lead Counsel for Plaintiffs

STIPULATION

WHEREAS, Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (collectively, “Uber” or “Defendants”) have expressed their intent to file and serve third-party complaints in actions that have been, or may be, coordinated into MDL 3084;

WHEREAS, at the May 31, 2024 Case Management Conference held before this Court, Uber expressed concern that Plaintiffs may argue that the filing and service of third-party complaints may affect Uber’s ability to bring, and have this Court decide, motions under Rule 12 of the Federal Rules of Civil Procedure, including the Motions to Dismiss under Rule 12(b)(6) currently pending before this Court;

THEREFORE, the parties respectfully request the Court enter the parties’ stipulation establishing that the filing and/or service of third-party complaints as to any action that has been or is later coordinated into MDL 3084 shall not in any way affect or waive Defendants’ ability to file, or have this Court decide, any motions under Rule 12 of the Federal Rules of Civil Procedure.

IT IS SO STIPULATED.

Dated: June 7, 2024

**PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP**

By: /s/ Randall S. Luskey

ROBERT ATKINS
RANDALL S. LUSKEY
KYLE N. SMITH
JACQUELINE P. RUBIN
JESSICA E. PHILLIPS
YAHONNES CLEARY
CAITLIN E. GRUSAUSKAS
ANDREA M. KELLER

SHOOK, HARDY & BACON, L.L.P.

By: /s/ Michael B. Shortnacy

MICHAEL B. SHORTNACY
PATRICK OOT
JEREMIAH S. WIKLER

Attorneys for Defendants
UBER TECHNOLOGIES, INC.,
RASIER, LLC, and RASIER-CA, LLC

1 Dated: June 7, 2024

By: /s/ Sarah R. London
Sarah R. London (SBN 267083)
**LIEFF CABRASER HEIMANN
& BERNSTEIN**
275 Battery Street, Fl. 29
San Francisco, CA 94111
Telephone: (415) 956-1000
slondon@lchb.com

By: /s/ Rachel B. Abrams
Rachel B. Abrams (SBN 209316)
**PEIFFER WOLF CARR KANE
CONWAY & WISE, LLP**
555 Montgomery Street, Suite 820
San Francisco, CA 94111
Telephone: (415) 426-5641
rabrams@peifferwolf.com

By: /s/ Roopal P. Luhana
Roopal P. Luhana
CHAFFIN LUHANA LLP
600 Third Avenue, Floor 12
New York, NY 10016
Telephone: (888) 480-1123
luhana@chaffinluhana.com

Co-Lead Counsel for Plaintiffs

FILER'S ATTESTATION

I, Randall S. Luskey, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

Dated: June 7, 2024

By: /s/ Randall S. Luskey
Randall S. Luskey

1
2
3
4 **UNITED STATES DISTRICT COURT**
5 **NORTHERN DISTRICT OF CALIFORNIA**
6 **SAN FRANCISCO DIVISION**
7

8 IN RE: UBER TECHNOLOGIES, INC.,
9 PASSENGER SEXUAL ASSAULT
10 LITIGATION

Case No. 3:23-md-03084-CRB

**[PROPOSED] ORDER REGARDING THIRD-
PARTY COMPLAINTS AND RULE 12
MOTIONS**

11 This Document Relates to:
12 ALL ACTIONS

13
14 The Court hereby GRANTS the parties' stipulation as follows:

15 The filing and/or service of third-party complaints as to any action that has been or is later
16 coordinated into MDL 3084 shall not in any way affect or waive Defendants' ability to file, or have
17 this Court decide, any motions under Rule 12 of the Federal Rules of Civil Procedure.
18

19 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**
20

21 Date: _____, 2024

22 HON. CHARLES R. BREYER
23 UNITED STATES DISTRICT JUDGE
24
25
26
27
28